

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2003-326-C – ORDER NO. 2004-96
FEBRUARY 27, 2004

IN RE: Analysis of Continued Availability of)	ORDER GRANTING	ENG
Unbundled Local Switching for Mass)	AT&T'S MOTION TO	
Market Customers Pursuant to the Federal)	REQUIRE BELL SOUTH TO	
Communications Commission's Triennial)	RESPOND TO DISCOVERY	
Review Order)		

This matter comes before the Public Service Commission of South Carolina (the "Commission") by way of the Motion of AT&T Communications of the Southern States, LLC ("AT&T") to require BellSouth Telecommunications, Inc. ("BellSouth") to respond to discovery. On February 4, 2004, AT&T filed a Motion to require BellSouth to disclose certain information contained in BellSouth's business records concerning competitive local exchange carriers ("CLECs") identified as self-providers of local switching to serve the mass market as referenced in the direct testimony of BellSouth's witness Pamela A. Tipton. With that Motion, AT&T attached its Second Set of Interrogatories that was served on BellSouth on February 2, 2004.

In that Motion, AT&T represented that BellSouth was concerned that the information requested may consist of Customer Proprietary Network Information ("CPNI") with restrictions upon disclosure absent an Order from this Commission.

BellSouth has no objection to the entry of such an Order so long as the appropriate protections for the confidential nature of the information are contained in the Order.

Based on the representations contained in AT&T's Motion, and in the interest of having a full and complete record presented to the Commission in the above-referenced docket, good cause exists that BellSouth shall provide the information sought by AT&T in its Second Set of Interrogatories that were served on BellSouth on February 2, 2004, subject to BellSouth's right to lodge other appropriate discovery objections, and that such information shall be subject to all the protections contained in the Confidentiality Agreement between the parties to this docket. As agreed to by the parties, BellSouth shall make its best efforts to provide this information to AT&T, to all other parties of record that have entered into the appropriate protective agreements, and to the Commission within three business days from the date of this Order.


Good cause exists that BellSouth and other parties to this proceeding may file with this Commission and may provide to parties of record that have entered into the appropriate protective agreements, information that may consist of or that may contain CPNI in order to facilitate the timely exchange of information.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Mignon L. Clyburn, Chairman

ATTEST:


Bruce F. Duke, Executive Director

(SEAL)